

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TIMOTHY ROHN,

**Plaintiff,**

V.

## JESS JAMISON AND WESTERN STATE HOSPITAL.

### Defendants.

CASE NO. C11-5679-BHS-JRC

**ORDER RE-DESIGNATING THE  
ACTION AS A CIVIL RIGHTS  
ACTION**

Plaintiff in this action filed a “petition for a writ of mandamus” asking the Court to order the evacuation of Western State Hospital (ECF No. 1). Plaintiff alleges that asbestos in the buildings makes the facility unsafe.

The Clerk's Office filed the action as a petition for a writ of habeas corpus. Review of the documents shows that plaintiff is seeking injunctive relief in the form of evacuation of the facility. Thus, the Court re-designates this action as a civil rights action brought pursuant to 18 U.S.C. § 1983.

1 The Clerk's Office is directed to change the case to a civil rights action in ECF and send  
2 plaintiff a copy of this order.

3 Dated this 20<sup>th</sup> day of October, 2011.

J. Ward (matins)

J. Richard Creatura  
United States Magistrate Judge